

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

ROBERT QUILL,	:	
Plaintiff,	:	
	:	
v.	:	
	:	
CATHOLIC DIOCESE OF WILMINGTON, INC., a Delaware corporation; ST.	:	C.A. No. 07-435-SLR
ELIZABETH'S CATHOLIC CHURCH, a Delaware corporation; Rev. FRANCIS G.	:	
DELUCA, individually and in his official capacity; and Rev. MICHAEL A.	:	Jury Trial Demanded
SALTARELLI, in his official capacity,	:	
	:	
Defendants.	:	

**DEFENDANT ST. ELIZABETH'S CATHOLIC CHURCH'S
REPLY IN SUPPORT OF ST. ELIZABETH'S
MOTION FOR AN EXTENSION OF TIME TO PLEAD**

Plaintiff's opposition to Defendant, St. Elizabeth's Catholic Church ("St. Elizabeth's"), motion for an extension of time to plead relies upon facts, parties, scheduling circumstances, and arguments unrelated to the present matter. The only basis upon which St. Elizabeth's seeks an extension to Answer to September 28, 2007, as the time within which St. Elizabeth's must plead, relates to a short-term press of other litigation which prevents below-signed lead counsel from conferring with and advising St. Elizabeth's with respect to this matter. To that end, below-signed counsel has conferred by telephone and directly written to plaintiff's counsel the following:

"I am hopeful we might speak today about my requested extension. I want to convey that my request is absolutely not tied to any plan to delay. My request is solely based on the facts that I was retained by St. Elizabeth's in early-August, and since then I initiated only preliminary interviews, document searches and insurance evaluations. Apart from that, my staff and I have been preoccupied full time on finalizing our preparation for a

looming trial in the Superior Court. That trial is scheduled to conclude on September 21, 2007, thus my requested extension for the time to answer the complaint in Quill as September 28, 2007."

(See Mark L. Reardon E-mail sent to Plaintiff's counsel on August 27, 2007 and attached to Plaintiff's Opposition as p. 4)

Plaintiff's counsel rejected St. Elizabeth's requested extension. Counsel for St. Elizabeth's regrets this intrusion on the Court resulting from the unfortunate inability of counsel to agree in a manner consistent with the tradition of the Delaware Bar on a basic scheduling issue.

Beyond the primary basis for the requested extension noted above, St. Elizabeth's further notes the absence of prejudice to the plaintiff as a result of extending the time to plead for St. Elizabeth's to September 28, 2007. As of this date, it appears no counsel has entered an appearance for co-defendant Rev. Francis G. DeLuca. Therefore, plaintiff's application for an immediate entry of a Scheduling Order requiring the parties to exchange pre-discovery disclosures by September 7, 2007, is impractical.

WHEREAS, given St. Elizabeth's recent retention of below-signed counsel's firm to represent its interests, and given the fact that below-signed counsel has initiated several preliminary fact-finding processes, and given that below-signed counsel is actively preparing for a Superior Court trial in mid-September, St. Elizabeth's respectfully requests that this Honorable Court grant its Motion for an Extension until September 28, 2007, to Answer or Otherwise to Respond to Plaintiff's First Amended Complaint.

Respectfully Submitted,

ELZUFON AUSTIN REARDON
TARLOV & MONDELL, P.A.

/s/ Mark L. Reardon

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Attorney for St. Elizabeth's Catholic Church

Dated: September 4, 2007